

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

CHESTER FINANCIAL SERVICES, LLC,

Plaintiff,

v.

No. 05-2436 MI V

**LIGHT BULB DEPOT ENTERPRISES, INC.
and JOE LUIZ,**

Defendants.

**DEFAULT JUDGMENT AND ENTRY OF PERMANENT INJUNCTION AGAINST
DEFENDANT LIGHT BULB DEPOT ENTERPRISES, INC., A FLORIDA
CORPORATION DOING BUSINESS IN THE STATE OF FLORIDA**

This cause came before the Court on January 26, 2006, upon the Complaint for Injunctive Relief and Money Damages filed by Plaintiff, Chester Financial Services, LLC against Defendants Light Bulb Depot Enterprises, Inc. and Joe Luiz, on June 17, 2005; return of service of process upon Defendant Light Bulb Depot Enterprises, Inc. on June 27, 2005; Motion of Plaintiff for Default Judgment and Entry of Permanent Injunction filed December 21, 2005; and the entire record in this cause, upon which it appears to the Court that said Defendant Light Bulb Depot Enterprises, Inc. has not responded to the Complaint or otherwise offered any defense to this action; and that Plaintiff is the assignee of the duly registered owner of the surface mark with the United States Patent and Trademark Office, Reg. No. 2,756,000 for the service mark "Light Bulb Depot"; and, further that Defendant Light Bulb Depot Enterprises, Inc. has used and infringed upon said service mark in the State of Tennessee and elsewhere by using it in connection with the sale of lighting and light bulb products; and that this Court has subject matter and *in personam* jurisdiction over said Defendant; and that Plaintiff has a property interest in said registered service mark which should be protected by permanent injunctive relief against Defendant Light Bulb Depot Enterprises, Inc., a Florida

corporation, and against all those acting in concert therewith, such as an agent, employee, officer, owner or other representative of Defendant Light Bulb Depot Enterprises, Inc.; wherefore, it is ORDERED, ADJUDGED AND DECREED as follows:

A. Defendant Light Bulb Depot Enterprises, Inc. and its owners, officers, directors, agents, servants, affiliates, employees, attorneys and representatives and all those in privity with or acting in concert with Defendants and each and all of them, are hereby enjoined and restrained them from directly or indirectly: (a) using any name, domain name or mark confusingly similar to the LIGHT BULB DEPOT Mark in connection with light bulbs and light bulbs sales; (b) holding itself out as the owner of, or otherwise authorized to use the LIGHT BULB DEPOT Mark in connection with the promotion, marketing or sale of goods, services and/or other activities in connection with light bulbs and light bulbs sales; (c) performing any actions using any words, domain names, names, styles, titles or marks which are likely to cause confusion, to cause a mistake or to deceive, or to otherwise mislead the trade or public into believing that Plaintiff and its licensees, on one hand, and Defendants, on the other, are in any way associated, affiliated or connected with one another in connection with light bulbs and light bulbs sales; (d) using any words, domain names, names, styles, titles or marks which create a likelihood of injury to the business reputation of Plaintiff and its licensees or a likelihood of dilution of the LIGHT BULB DEPOT Mark; and (e) using any trade practices which use or pertain to the protected mark, including those complained of herein, which tend to unfairly compete with or injure Plaintiff's and its licensees' business and the goodwill pertaining thereto.

B. The Court's ruling on an award of attorney fees for Plaintiff and costs for Plaintiff is reserved, pending a motion on behalf of Plaintiff requesting same.

C. It is further ORDERED ADJUDGED AND DECREED that this Court shall retain jurisdiction of this matter for the purpose of enforcing said permanent injunction.

/s/ Jon P. McCalla

JUDGE

DATED: January 30, 2006

APPROVED BY:

Richard E. Charlton (#7791)
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument has been hand-delivered, faxed and/or mailed via U. S. Mail, postage prepaid to:

Light Bulb Depot Enterprises, Inc.
37 NE 1st Terrace
Deerfield Beach, FL 33441

This the _____ day of January, 2006.
